

## **§ 29.3605**

a representative sample shall be selected. The sample shall include tobacco of each different group, quality, color, length, and kind found in the lot in proportion to the quantities of each contained in the lot.

[30 FR 9207, July 23, 1965, as amended at 49 FR 16759, Apr. 20, 1984]

### **§ 29.3605 Rule 4.**

All standard grades must be clean.

### **§ 29.3606 Rule 5.**

The grade assigned to any lot of tobacco shall be a true representation of the tobacco at the time of inspection and certification. If, at any time, it is found that a lot of tobacco does not comply with the specifications of the grade previously assigned it shall not thereafter be represented as such grade.

### **§ 29.3607 Rule 6.**

A lot of tobacco on the marginal line between two colors shall be placed in the color with which it best corresponds with respect to body or other associated elements of quality.

### **§ 29.3608 Rule 7.**

Any lot of tobacco which meets the specifications of two grades shall be placed in the higher grade. Any lot of tobacco on the marginal line between two grades shall be placed in the lower grade.

### **§ 29.3609 Rule 8.**

A lot of tobacco meets the specifications of a grade when it is not lower in any degree of any element of quality than the minimum specifications of such grade.

### **§ 29.3610 Rule 9.**

In determining the grade of a lot of tobacco, the lot as a whole shall be considered. Minor irregularities which do not affect over one percent of the tobacco shall be overlooked.

### **§ 29.3611 Rule 10.**

Any special factor approved by the Director of the Tobacco Division, Agricultural Marketing Service, may be used to show a peculiar side or char-

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acteristic of the tobacco which tends to modify the grade.

[30 FR 9207, July 23, 1965, as amended at 49 FR 16759, Apr. 20, 1984]

### **§ 29.3612 Rule 11.**

Interpretations, the use of specifications, and the meaning of the terms shall be in accordance with determinations or clarifications made by the Chief of the Standards and Testing Branch and approved by the Director.

### **§ 29.3613 Rule 12.**

The use of any grade may be restricted by the Director during any marketing season, when it is found that the grade is not needed or appears in insufficient volume to justify its use.

### **§ 29.3614 Rule 13.**

Length shall be stated in connection with each grade of the A, B, and C groups, except strip grades, and may be stated in connection with grades of other groups. For this purpose, the standard tobacco sizes shall be used. (See Applicable Standard Sizes, § 29.3681.)

[51 FR 40408, Nov. 7, 1986]

### **§ 29.3615 Rule 14.**

Degrees of uniformity shall be expressed in terms of percentages. The percentages shall govern the portion of a lot which must meet the specifications of the grade. The minor portion must be closely related but may be of a different group, quality, and color from the major portion. These percentages shall not affect limitations established by other rules.

### **§ 29.3616 Rule 15.**

The application of injury as an element of quality shall be expressed in terms of a percentage of tolerance. The appraisal of injury shall be based upon the percentage of affected leaf surface or the degree of injury. In appraising injury, consideration shall be given to the normal characteristics of the group as related to injury.